
MAINE SUPREME JUDICIAL COURT SITTING AS THE LAW COURT

LAW COURT DOCKET NUMBER: ARO-19-110

State of Maine v. P.S.

On Appeal from the District Court

APPENDIX

John W. Tebbetts, Esq. Attorney for the Appellant Maine Bar No. 5453

Tebbetts Law Office, LLC 29 Second Street, Suite 1 Presque Isle, Maine 04769 jtebbetts@tebbettslaw.com 207-760-7251

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STATE OF MAINE

DISTRICT COURT

375

P.S.

Docket No Case 1

DOCKET RECORD

DOB:

2004

Attorney: JOHN TEBBETTS

State's Attorney:

JAMES MITCHELL

Filing Document: PETITION

APPOINTED 07/16/2018

Major Case Type:

MISDEMEANOR (CLASS D,E)

Filing Date:

05/18/2018

Charge (s)

CRIMINAL TRESPASS

04/23/2018

Seq 691 1.7-A 402(1)(B)

Class E

Docket Events:

05/18/2018 FILING DOCUMENT - PETITION FILED ON 05/18/2018

05/18/2018 Charge(s):

HEARING - INITIAL APPEARANCE SCHEDULED FOR 06/04/2018 at 01:00 p.m.

NOTICE TO PARTIES/COUNSEL

06/04/2018 Charge(s):

HEARING - INITIAL APPEARANCE HELD ON 06/04/2018

DAVID J SOUCY , JUDGE DA: JAMES MITCHELL

06/04/2018 Charge(s):

PLEA - ADMIT ENTERED BY JUVENILE ON 06/04/2018

06/04/2018 Charge(s):

FINDING - OFFENSE COMMITTED ENTERED BY COURT ON 06/04/2018

DAVID J SOUCY , JUDGE

06/04/2018 Charge(s):

RULING - ORIGINAL ORDERED ON 06/04/2018

DAVID J SOUCY , JUDGE

DA: JAMES MITCHELL

It has been adjudged that the juvenile committed the juvenile offense of 001 - CRIMINAL TRESPASS 17-A 402(1)(B) Class E.

That the juvenile is committed to an approved juvenile detention facility for a period of 30 day(s) .

All of the foregoing commitment is suspended.

That the juvenile be placed on a period of probation for a term of 1 year(s) upon conditions attached hereto and incorporated by reference herein. Said Probation to commence after completion of the unsuspended term of imprisonment.

Community Service Work:

That the juvenile participate in a supervised work or service program for 40 hour(s) to be JV-200 Page 1 of 7 Printed on: 03/25/2019 completed by 08/04/2018.

Special Conditions of Probation:

- Refrain from all criminal conduct and violation of federal, state and local laws.
- 2. Report to the juvenile community corrections officer (JCCO) immediately and report thereafter as the officer may direct.
- Answer all reasonable inquiries by the juvenile community corrections officer and 3. permit the juvenile community corrections officer to visit you at reasonable times at your home or elsewhere.
- Secure approval of the juvenile community corrections officer before changing address, employment, or education program.
- 5. Remain within the jurisdiction of this State unless written permission is given by the juvenile community corrections officer for you to leave the state temporarily.
- 6. Devote yourself to an approved employment/education program and maintain regular and orderly school attendance.
- 7. Refrain from possession or use of intoxicating liquor, any unlawful drugs or tobacco products.
- Identify yourself as a probationer to any law enforcement officer when arrested, в. detained or questioned and notify your juvenile community corrections officer of the contact within 24 hours.
- Waive extradition to the State of Maine from any State of the United States, the 9. District of Columbia, or any other place, to answer any charge of violating the terms of probation.
- Not own, possess or use any firearms or dangerous weapons if you have been adjudicated of the juvenile crime of murder, or a Class A, B, or C juvenile crime, or any other matter involving the use of a firearm.
- Provide a DNA sample if directed and your offense is set forth in 25 MRSA Section 11. 1574 (6).

Submit to random search and testing for tobacco, alcohol, drugs upon reasonable suspicion of use or possession.

Undergo substance abuse counseling / treatment, program as directed by the probation officer; consent to the release of any counseling/treatment information to your probation officer, the district attorney and the court. You shall contribute to the cost of any counseling treatment based on your financial ability as determined by the probation officer.

Abide by curfew.

Other: WRITE LETTER OF APOLOGY TO THE VICTIM AT THE DIRECTION AND TO THE SATISFACTION OF THE JCCO AND DELIVER IT WITHIN 30 DAYS WHEN APPROVED

Perform public service work as more fully specified above.

06/04/2018 Charge(s):

RULING - ORIGINAL ISSUED ON 06/04/2018

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DAVID J SOUCY , JUDGE HEARING - DISPOSITIONAL HEARING HELD ON 06/04/2018 06/05/2018 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL DISPOSITIONAL RECOMMENDATION FILED BY JCCO 06/05/2018 NOTE - OTHER CASE NOTE ENTERED ON 06/05/2018 BACK TO POST SENTENCE 06/26/2018 FILING DOCUMENT - MOTION FOR PROB REVOCATION FILED ON 06/25/2018 06/26/2018 Charge(s): HEARING - PV INITIAL APPEARANCE SCHEDULED FOR 07/16/2018 at 01:00 p.m. 06/26/2018 Charge(s): 1 HEARING - PV INITIAL APPEARANCE SCHEDULE OTHER COURT ON 07/16/2018 at 01:00 p.m. 06/26/2018 SUMMONS/SERVICE - PROBATION REVOCATION SUMMONS FILED ON 06/25/2018 07/17/2018 Charge(s): HEARING - PV INITIAL APPEARANCE HELD ON 07/16/2018 STEPHEN NELSON , JUDGE DA: JAMES MITCHELL Defendant Present in Court 07/17/2018 HEARING - PROBATION REVOCATION SCHEDULED FOR 08/08/2018 at 01:00 p.m. 07/17/2018 HEARING - PROBATION REVOCATION SCHEDULE OTHER COURT ON 08/08/2018 at 01:00 p.m. 07/17/2018 Charge(s): PLEA - DENY ENTERED BY JUVENILE ON 07/16/2018 07/17/2018 MOTION - MOTION FOR APPOINTMENT OF CNSL FILED BY JUVENILE ON 07/16/2018 07/17/2018 MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 07/16/2018 STEPHEN NELSON , JUDGE Attorney: JOHN TEBBETTS PS07/23/2018 Party(s): ATTORNEY - APPOINTED ORDERED ON 07/16/2018 Attorney: JOHN TEBBETTS 07/23/2018 HEARING - PROBATION REVOCATION NOTICE SENT ELECTRONICALLY ON 07/23/2018 DA OFFICE, J TEBBETTS, ESQ., MCILS AND JCCO 08/09/2018 HEARING - PROBATION REVOCATION HELD ON 08/08/2018 STEPHEN NELSON , JUDGE DA: JAMES MITCHELL Defendant Present in Court 08/09/2018 Charge(s): 1 PLEA - ADMIT ENTERED BY JUVENILE ON 08/08/2018

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03/25/2019

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STEPHEN NELSON , JUDGE

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DA: JAMES MITCHELL

Defendant Present in Court

08/09/2018 Charge(s):

FINDING - PROBATION VIOLATED ENTERED BY COURT ON 08/08/2018

STEPHEN NELSON , JUDGE

08/09/2018 Charge(s):

RULING - PROBATION REVOCATION ORDERED ON 08/08/2018

STEPHEN NELSON , JUDGE

DA: JAMES MITCHELL

Community Service Work:

That the juvenile participate in a supervised work or service program for 40 hour(s) to be completed by 09/08/2018.

Special Conditions of Probation:

- Refrain from all criminal conduct and violation of federal, state and local laws. 1.
- 6. Devote yourself to an approved employment/education program and maintain regular and orderly school attendance.
- 7. Refrain from possession or use of intoxicating liquor, any unlawful drugs or tobacco products.
- Waive extradition to the State of Maine from any State of the United States, the District of Columbia, or any other place, to answer any charge of violating the terms of probation.
- Provide a DNA sample if directed and your offense is set forth in 25 MRSA Section 1574 (6).

Perform public service work as more fully specified above.

08/09/2018 Charge(s):

RULING - PROBATION REVOCATION ISSUED ON 08/08/2018

STEPHEN NELSON , JUDGE

FILING DOCUMENT - MOTION FOR PROB REVOCATION FILED ON 11/15/2018 11/15/2018

2ND MOTION.

11/15/2018 Charge(s):

HEARING - PV INITIAL APPEARANCE SCHEDULED FOR 12/03/2018 at 01:00 p.m.

11/15/2018 Charge(s):

HEARING - PV INITIAL APPEARANCE SCHEDULE OTHER COURT ON 12/03/2018 at 01:00 p.m.

SUMMONS/SERVICE - PROBATION REVOCATION SUMMONS FILED ON 11/15/2018 11/15/2018

SIGNED BY JUVENILE.

11/15/2018 Charge(s):

1. HEARING - PV INITIAL APPEARANCE NOTICE SENT ELECTRONICALLY ON 11/15/2018

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JCCO DA OFFICE, 12/04/2018 Charge(s): 1 HEARING - PV INITIAL APPEARANCE HELD ON 12/03/2018 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL 12/04/2018 Charge(s): PLEA - DENY ENTERED BY JUVENILE ON 12/03/2018 12/04/2018 Charge(s): 1 HEARING - PROBATION REVOCATION SCHEDULED FOR 01/07/2019 at 01:00 p.m. 12/04/2018 Charge(s): HEARING - PROBATION REVOCATION NOTICE SENT ELECTRONICALLY ON 12/04/2018 MITCHELL ADA 12/04/2018 Charge(s): 1 HEARING - PROBATION REVOCATION NOTICE SENT ON 12/04/2018 12/11/2018 MOTION - MOTION FOR APPOINTMENT OF CNSL FILED BY JUVENILE ON 12/11/2018 MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 12/11/2018 12/11/2018 DAVID J SOUCY , JUDGE FILING DOCUMENT - MOTION FOR PROB REVOCATION FILED ON 12/11/2018 12/12/2018 3RD MOTION DATED 12/11/18 12/12/2018 Charge(s): SUPPLEMENTAL FILING - PETITION TO REVIEW DETENTION FILED ON 12/11/2018 12/12/2018 Charge(s): HEARING - DETENTION HEARING SCHEDULE OTHER COURT ON 12/13/2018 at 11:00 a.m. 12/12/2018 Charge(s): HEARING - DETENTION HEARING NOTICE SENT ELECTRONICALLY ON 12/12/2018 MITCHELL ADA; J. TEBBETTS; JCCO 12/12/2018 TRANSFER - TEMPORARY TRANSFER TRANSFERRED ON 12/12/2018 12/14/2018 Charge(s): HEARING - DETENTION HEARING HELD ON 12/13/2018 DAVID J SOUCY , JUDGE 12/14/2018 ORDER - CONDITIONS OF RELEASE ORDERED ON 12/03/2018 DAVID J SOUCY , JUDGE ORDER - CONDITIONS OF RELEASE ISSUED ON 12/13/2018 12/14/2018 DAVID J SOUCY , JUDGE 12/14/2018 Charge(s): PLEA - DENY ENTERED BY JUVENILE ON 12/13/2018 MOTION DATED 12/11/18 Page JV-200 Printed on: 03/25/2019

12/14/2018 TRANSFER - TEMPORARY TRANSFER RECVD BY ORIG COURT ON 12/14/2018 01/14/2019 Charge(s): 1 HEARING - PROBATION REVOCATION CONTINUED ON 01/07/2019 DAVID J SOUCY , JUDGE 01/14/2019 HEARING - PROBATION REVOCATION SCHEDULED FOR 02/06/2019 at 01:00 p.m. HEARING - PROBATION REVOCATION SCHEDULE OTHER COURT ON 02/06/2019 at 01:00 p.m. 01/14/2019 01/14/2019 HEARING - PROBATION REVOCATION NOTICE SENT ELECTRONICALLY ON 01/14/2019 MITCHELL ADA; TEBBETTS, ESQ; MOTION - MOTION TO CONTINUE FILED BY JUVENILE ON 02/04/2019 02/05/2019 02/05/2019 MOTION - MOTION TO CONTINUE GRANTED ON 02/04/2019 DAVID J SOUCY , JUDGE 02/05/2019 HEARING - PROBATION REVOCATION NOT HELD ON 02/04/2019 DAVID J SOUCY , JUDGE 02/05/2019 HEARING - PROBATION REVOCATION CONTINUED ON 02/04/2019 DAVID J SOUCY , JUDGE 02/05/2019 HEARING - PROBATION REVOCATION SCHEDULED FOR 03/04/2019 at 01:00 p.m. 02/05/2019 HEARING - PROBATION REVOCATION NOTICE SENT ELECTRONICALLY ON 02/05/2019 MITCHELL ADA; TEBBETTS; PPO 03/12/2019 HEARING - PROBATION REVOCATION HELD ON 03/04/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL 03/12/2019 Charge(s): PLEA - ADMIT ENTERED BY JUVENILE ON 03/04/2019 03/12/2019 Charge(s): FINDING - PROBATION VIOLATED ENTERED BY COURT ON 03/04/2019 DAVID J SOUCY , JUDGE MOTIONS DATED 11/15/18 AND 12/11/18 03/12/2019 Charge(s): RULING - PROBATION REVOCATION ORDERED ON 03/04/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL That the juvenile be placed on a period of probation for a term of 1 year(s) upon conditions attached hereto and incorporated by reference herein. Said Probation to commence after completion of the unsuspended term of imprisonment.

judgment of this court in this case, is hereby revoked.

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It is adjudged that the juvenile has violated one or more of the conditions of probation attached to the judgment, and it is ORDERED that the order of probation contained in the

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The court orders that the juvenile serve 30 Day(s) of the suspended portion of the sentence and the defendant's probation is terminated.

03/12/2019 Charge(s):

RULING - PROBATION REVOCATION ISSUED ON 03/04/2019

DAVID J SOUCY , JUDGE

03/21/2019 Charge(s):

APPEAL - NOTICE OF APPEAL FILED ON 03/21/2019

03/21/2019 MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY JUVENILE ON 03/21/2019

03/22/2019 MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 03/22/2019

DAVID J SOUCY , JUDGE

03/25/2019 Charge(s):

APPEAL - NOTICE OF APPEAL SENT TO REPORTER/ER ON 03/25/2019

03/25/2019 Charge(s):

APPEAL - NOTICE OF APPEAL SENT TO LAW COURT ON 03/25/2019

03/25/2019 Charge(s):

OTHER FILING - OTHER DOCUMENT FILED ON 03/25/2019

TRANSCRIPT AND AUDIO FORM FILED - SENT TO ER, LAW COURT, MITCHELL ADA, TEBBETTS, ESQ.

03/25/2019 Charge(s):

APPEAL - RECORD ON APPEAL SENT TO LAW COURT ON 03/25/2019

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Printed on:

STATE OF MAINE DISTRICT COURT

vs

P.S. Docket No Case 2

DOCKET RECORD

DOB: 2004

Attorney: JOHN TEBBETTS State's Attorney: JAMES MITCHELL

P APPOINTED 01/07/2019

Filing Document: PETITION Major Case Type: MISDEMEANOR (CLASS D,E)

Filing Date: 12/17/2018

Charge(s)

1 CRIMINAL MISCHIEF 11/10/2018

Seq 4959 17-A 806(1)(A) Class D

Docket Events:

12/18/2018 FILING DOCUMENT - PETITION FILED ON 12/17/2018

12/18/2018 Charge(s): 1

HEARING - INITIAL APPEARANCE SCHEDULED FOR 01/07/2019 at 01:00 p.m.

NOTICE TO PARTIES/COUNSEL

01/14/2019 Charge(s):

HEARING - INITIAL APPEARANCE HELD ON 01/07/2019

DAVID J SOUCY , JUDGE DA: JAMES MITCHELL

01/14/2019 Charge(s):

PLEA - DENY ENTERED BY JUVENILE ON 01/07/2019

01/14/2019 Party(s): P.S.

ATTORNEY - APPOINTED ORDERED ON 01/07/2019

Attorney: JOHN TEBBETTS

01/14/2019 MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 01/07/2019

DAVID J SOUCY , JUDGE

EMAILED TO MITCHELL ADA; TEBBETTS ESQ, JCCO, MCILS TO D BY MAIL

01/14/2019 HEARING - ADJUDICATION HEARING SCHEDULED FOR 02/06/2019 at 01:00 p.m.

01/14/2019 HEARING - ADJUDICATION HEARING SCHEDULE OTHER COURT ON 02/06/2019 at 01:00 p.m.

01/14/2019 HEARING - ADJUDICATION HEARING NOTICE SENT ELECTRONICALLY ON 01/14/2019

MITCHELL AAG; TEBBETTS ESQ; JCCO

02/05/2019 MOTION - MOTION TO CONTINUE FILED BY JUVENILE ON 02/04/2016

02/05/2019 MOTION - MOTION TO CONTINUE GRANTED ON 02/04/2019

DAVID J SOUCY , JUDGE

EMAILED TO MITCHELL ADA; TEBBETTS ESQ; JCCO

02/05/2019 HEARING - ADJUDICATION HEARING NOT HELD ON 02/04/2019

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DAVID J SOUCY , JUDGE 02/05/2019 HEARING - ADJUDICATION HEARING CONTINUED ON 02/04/2019 02/05/2019 HEARING - ADJUDICATION HEARING SCHEDULED FOR 03/04/2019 at 01:00 p.m. 02/05/2019 HEARING - ADJUDICATION HEARING NOTICE SENT ELECTRONICALLY ON 02/05/2019 MITCHELL ADA; TEBBETTS ESQ; JCCO 03/12/2019 HEARING - ADJUDICATION HEARING HELD ON 03/04/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL 03/12/2019 Charge(s): PLEA - ADMIT ENTERED BY JUVENILE ON 03/04/2019 03/12/2019 HEARING - DISPOSITIONAL HEARING HELD ON 03/04/2019 DAVID J SOUCY , JUDGE DISPOSITIONAL RECOMMENDATION FILED BY JCCO 03/12/2019 Charge(s): FINDING - OFFENSE COMMITTED ENTERED BY COURT ON 03/04/2019 DAVID J SOUCY , JUDGE 03/12/2019 Charge(s): RULING - ORIGINAL ORDERED ON 03/04/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL COMMITMENT AS RECOMMENDED. FOR FINDINGS SEE Case 3 It has been adjudged that the juvenile committed the juvenile offense of 001 - CRIMINAL MISCHIEF 17-A 806(1)(A) Class D. That the juvenile is committed to an approved juvenile detention facility for an indeterminate period to age 18. This determination will be reviewed on 03/02/2020. 03/12/2019 Charge(s): RULING - ORIGINAL ISSUED ON 03/04/2019 DAVID J SOUCY , JUDGE 03/12/2019 HEARING - OTHER HEARING SCHEDULED FOR 03/02/2020 at 01:00 p.m. REVIEW OF DETERMINATION 03/12/2019 HEARING - OTHER HEARING NOTICE SENT ELECTRONICALLY ON 03/12/2019 MITCHELL ADA; JCCO 03/21/2019 Charge(s): APPEAL - NOTICE OF APPEAL FILED ON 03/21/2019 03/21/2019 MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY JUVENILE ON 03/21/2019 03/22/2019 MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 03/22/2019 DAVID J SOUCY , JUDGE 03/25/2019 Charge(s): OTHER FILING - OTHER DOCUMENT FILED ON 03/25/2019 2 of 3 Printed on: 03/25/2019 JV-200 Page

TRANSCRIPT AND AUDIO FORM FILED - SENT TO ER, LAW COURT, MITCHELL ADA, TEBBETTS ESQ 03/25/2019 Charge(s): 1

APPEAL - RECORD ON APPEAL SENT TO LAW COURT ON 03/25/2019

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| | | | Clerk | |

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STATE OF MAINE

VS

P.S.

DISTRICT COURT

Docket No Case 3

DOCKET RECORD

DOB: 2004

Attorney: JOHN TEBBETTS

State's Attorney: JAMES MITCHELL

Filing Document: PETITION

APPOINTED 01/07/2019

Major Case Type: MISDEMEANOR (CLASS D, E)

Filing Date:

12/28/2018

Charge (s)

1 DOMESTIC VIOLENCE ASSAULT 12/11/2018

Seq 11286 17-A 207-A(1)(A) Class D

2 ASSAULT

12/11/2018

2 ASSAULI Seq 8382 17-A 207(1)(A)

Class D

3 CRIMINAL MISCHIEF

12/11/2018

Seq 4959 17-A 806(1)(A)

Class D

Docket Events:

12/28/2018 FILING DOCUMENT - PETITION FILED ON 12/28/2018

12/28/2018 Charge(s):

1,2,3

HEARING - INITIAL APPEARANCE SCHEDULED FOR 01/07/2019 at 01:00 p.m.

NOTICE TO PARTIES/COUNSEL

01/14/2019 Charge(s):

1,2,3

HEARING - INITIAL APPEARANCE HELD ON 01/07/2019

DAVID J SOUCY , JUDGE

DA: JAMES MITCHELL

01/14/2019 MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 01/07/2019

DAVID J SOUCY , JUDGE

EMAILED TO MITCHELL ADA; TEBBETTS ESQ; JCCO; MCILS

MAIL TO

DEFENDANT

01/14/2019 Partv(s):

P.S.

ATTORNEY - APPOINTED ORDERED ON 01/07/2019

Attorney: JOHN TEBBETTS

01/14/2019 Charge(s):

1,2,3

PLEA - DENY ENTERED BY JUVENILE ON 01/07/2019

01/14/2019 HEARING - ADJUDICATION HEARING SCHEDULE OTHER COURT ON 02/06/2019 at 01:00 p.m.

01/14/2019 HEARING - ADJUDICATION HEARING NOTICE SENT ELECTRONICALLY ON 01/14/2019

MITCHELL ADA; TEBBETTS ESQ;

JCCO

02/05/2019 MOTION - MOTION TO CONTINUE FILED BY JUVENILE ON 02/04/2019

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Printed on:

MOTION - MOTION TO CONTINUE GRANTED ON 02/04/2019 02/05/2019 DAVID J SOUCY , JUDGE JCCO MITCHELL ADA; TEBBETTS ESQ; HEARING - ADJUDICATION HEARING CONTINUED ON 02/04/2019 02/05/2019 DAVID J SOUCY , JUDGE 02/05/2019 HEARING - ADJUDICATION HEARING NOT HELD ON 02/04/2019 DAVID J SOUCY , JUDGE 02/05/2019 HEARING - ADJUDICATION HEARING SCHEDULED FOR 03/04/2019 at 01:00 p.m. 02/05/2019 HEARING - ADJUDICATION HEARING NOTICE SENT ELECTRONICALLY ON 02/05/2019 MITCHELL ADA; TEBBETTS ESQ; JCCO 03/12/2019 Charge(s): 1,2,3 PLEA - ADMIT ENTERED BY JUVENILE ON 03/04/2019 HEARING - DISPOSITIONAL HEARING HELD ON 03/04/2019 03/12/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL DISPOSITIONAL RECOMMENDATION FILED BY JCCO 03/12/2019 Charge(s): 1,2,3 FINDING - OFFENSE COMMITTED ENTERED BY COURT ON 03/04/2019 DAVID J SOUCY , JUDGE 03/12/2019 Charge(s): RULING - ORIGINAL ORDERED ON 03/04/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL COMMITMENT AS RECOMMENDED - SEE FINDINGS WRITTEN ON PETITION. It has been adjudged that the juvenile committed the juvenile offense of 001 - DOMESTIC VIOLENCE ASSAULT 17-A 207-A(1)(A) Class D. That the juvenile is committed to an approved juvenile detention facility for an indeterminate period to age 18. This determination will be reviewed on 03/02/2020. This sentence to be s 03/12/2019 Charge(s): RULING - ORIGINAL ISSUED ON 03/04/2019 DAVID J SOUCY , JUDGE 03/12/2019 Charge(s): RULING - ORIGINAL ORDERED ON 03/04/2019 DAVID J SOUCY , JUDGE DA: JAMES MITCHELL

> indeterminate period to age 18. Printed on: 03/25/2019 Page 2 of 4

That the juvenile is committed to an approved juvenile detention facility for an

It has been adjudged that the juvenile committed the juvenile offense of 002 - ASSAULT

COMMITMENT AS RECOMMENDED - SEE FINDINGS WRITTEN ON PETITION.

17-A 207(1)(A) Class D.

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This determination will be reviewed on 03/02/2020.

This sentence to be s

03/12/2019 Charge(s):

2

RULING - ORIGINAL ISSUED ON 03/04/2019

DAVID J SOUCY , JUDGE

03/12/2019 Charge(s):

RULING - ORIGINAL ORDERED ON 03/04/2019

DAVID J SOUCY , JUDGE

DA: JAMES MITCHELL

COMMITMENT AS RECOMMENDED - SEE FINDINGS WRITTEN ON PETITION.

It has been adjudged that the juvenile committed the juvenile offense of 003 - CRIMINAL MISCHIEF 17-A 806(1)(A) Class D.

That the juvenile is committed to an approved juvenile detention facility for an indeterminate period to age 18.

This determination will be reviewed on 03/02/2020.

This sentence to be a

03/12/2019 Charge(s):

3

RULING - ORIGINAL ISSUED ON 03/04/2019

DAVID J SOUCY , JUDGE

03/12/2019 HEARING ~ OTHER HEARING SCHEDULED FOR 03/02/2020 at 01:00 p.m.

REVIEW OF DETERMINATION

03/12/2019 HEARING - OTHER HEARING NOTICE SENT ELECTRONICALLY ON 03/12/2019

MITCHELL ADA; JCCO

03/21/2019 ORDER - COURT ORDER ENTERED ON 03/04/2019

DAVID J SOUCY , JUDGE

WRITTEN ON PETITION: "THE COURT FINDS THAT THERE IS UNDUE RISK THAT THE JV WILL COMMIT FURTHER CRIMES BUT FOR THIS DISPOSITION; THAT THE JV IS IN NEED OF CORRECTIONAL TREATMENT THAT CAN ONLY BE OBTAINED BY HIS COMMITMENT TO AN INSTITUTION; THAT REASONABLE EFFORTS HAVE BEEN MADE, AS SHOWN OVER THE HISTORY OF THIS AND COMPANION CASES, TO PREVENT THE REMOVAL OF THE JV FROM HIS HOME; AND THAT CONTINUATION IN HIS HOME WOULD BE CONTRARY TO HIS WELFARE

03/21/2019 NOTE - OTHER CASE NOTE ENTERED ON 03/04/2019

DAVID J SOUCY , JUDGE

ORDER CONTINUED -

P.S. HAS REPEATEDLY IGNORED EFFORTS BY HIS JCCO AND SOCIAL SERVICES

PROVIDERS TO ADDRESS HIS REPEATED OFFENSES. ALTHOUGH THE TYPES OF OFFENSES OF WHICH HE HAS

BEEN ADJUDICATED ARE NOT MAJOR OFFENSES, THEY ARE SERIOUS AND ESCALATING. THERE ARE NO

SUITABLE ALTERNATIVE RESOUCES AVAIL IN THE COMMUNITY TO ADDRESS

P.S.'S NEEDS.

03/21/2019 Charge(s): 1,2,3

APPEAL - NOTICE OF APPEAL FILED ON 03/21/2019

03/21/2019 MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY JUVENILE ON 03/21/2019

03/22/2019 MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 03/22/2019

DAVID J SOUCY , JUDGE

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03/25/2019 Charge(s): 1,2,3

OTHER FILING - OTHER DOCUMENT FILED ON 03/25/2019

TRANSCRIPT AND AUDIO FORM FILED - SENT TO ER, LAW COURT, MITCHELL ADA, TEBBETTS, ESQ.

03/25/2019 Charge(s):

JV-200

1,2,3

APPEAL - RECORD ON APPEAL SENT TO LAW COURT ON 03/25/2019

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Printed on:

STATE OF MAINE

| | DISTRICT / JUVENILE COURT |
|--|--|
| STATE OF MAINE | Location Docket NoCase 1 |
| | |
| v. | ORDER ON MOTION FOR |
| P.S. | PROBATION REVOCATION 15 M.R.S. § 3314(2) |
| Juvenile / DOB | Motions dated 11/15/18 & 12/11/18 |
| On the 3 4 19 counsel) to answer the charge that the juvenile I attached to the judgment of the court in this case | the juvenile appeared in person (and by nad violated one or more of the conditions of probation e. |
| A hearing having been held, The juvenile having admitted to violation | on of one or more of the conditions of probation, |
| | or more of the conditions of probation attached to the probation contained in the judgment of this court in this toked \square continued |
| and that the probationary period is terminated. the need for removal of the juvenile from the ju | nmitment to the juvenile correctional facility is imposed Reasonable efforts have been made to prevent or eliminate venile's home and continuation in the juvenile's home. This determination will be reviewed on(no |
| The court orders that the underlying confor (days) (all of the unserted the probationary period continue in the probationary period is terminated.) | nmitment to an approved correctional facility is imposed ved portion) and that: effect as provided by law. |
| | nmitment to the juvenile correctional facility is modified tional facility for a period ofdays to be inated. |
| and that the probationary period continuous Other: | e in effect as provided by law. |
| The court orders | |
| A. A | |
| Execution stayed to on or before This order shall be attached to and made a part of | at(a.m.) (p.m.). of the judgment. |
| Date: 3-4-19 | Judge |
| I UNDERSTAND AND ACKNOWLE | EDGE RECEIPT OF A COPY OF THIS ORDER. |
| Date: | |
| A true copy. Attest: | Juvenile Clerk |
| JV-013, Rev. 04/14 | Page 1 of 1 |

| St | tate Of Maine JUVENILE C | OURT DISTRICT COURT | JUDGM | ENT & COM | MITME | NT (JUVENILE) |
|-----|---|---|---|---|---|--|
| D | ocket No. Case 2 | County/Location | | Date: 3-4" | 19 | DOB |
| St | ate of Maine | | Residence: | | | |
| | v. | | | | | |
| | P.S. | | <u> </u> | | | |
| I | t has been adjudged that the juvenil | e committed the following juvenile off | enses on the followin | g dates: | | |
| El: | | Seq #: 4959 Title: 17-A / 806 / 1 / A | | Charge: 1 | ₽pl | dicated on: ea urt finding |
| _A | fter further hearing this court order | s the following disposition: | | | | |
| | That the juvenile be allowed to renupon conditions attached and incompositions | nain in the legal custody of rporated by reference. | | | (paren | t(s)) (guardian) |
| | That the juvenile participate in the | following supervised (work) (service) | 7. | | | |
| the | | hours of court-approved communit | | | _ (weeks) | (months) for |
| 8. | The Juvenile Custody order is (Ten days' notice has been ser (Appropriate written waivers | | are necessary becauselfare of the juvenile this order. r. rices and the juvenile ecuted voluntarily an | se of the existe Reasonable of sparents and/od knowingly in | nce of an efforts fin or custodi n court be | aggravating dings, dated ans). fore a judge). |
| | That the juvenile be committed to Reasonable efforts have been mad reasonable efforts are necessary be contrary to the welfare of the juve incorporated in this order. This de- | a juvenile correctional facility for an it le to prevent or eliminate the need for ecause of the existence of an aggravationale. Reasonable efforts findings, date etermination will be reviewed on sis suspended (except that the juvenile days to be served as follows: | ndeterminate period to emoval of the juvening factor and continued to 2000 s committed to a juve | 6 (age 18) (age le from the juvation in the juvent (no long enile detention | enile's ho venile's ho , are attac er than 12 facility fo | me or no ome would be hed and c months). |
| | That the Juvenile is committed to | a juvenile detention facility for a perio | d of | days to be | served a | s follows: |
| | All butdays | of the foregoing commitment is suspen | ded (to be served as | follows: | | · · · · · · · · · · · · · · · · · · · |
| | That the juvenile be placed on a p and incorporated by reference. | eriod of probation for a term of (| years) (| months) u | pon condi | tions attached |
| | · · | as follows: | | | | |
| | | | | | | |

| | That the juvenile forfeit and pay the sum of \$as a fine to the clerk of the court, plus applicable surcharges and assessments. All but \$suspended. The total amount due, including surcharges and assessments is \$ This amount is payable immediately or in accordance with the Order on Payment of Fines incorporated by reference herein. That the juvenile's license or permit to operate a motor vehicle, right to operate a motor vehicle, or right to apply for or obtain a |
|-----------|---|
| | license is suspended in accordance with the Notice of Suspension incorporated by reference. |
| | That the juvenile be unconditionally discharged. |
| | That the parent(s)/guardian (provide insurance for) (pay the sum of \$toward) the cost of the medical, mental health, and substance abuse treatment and/or counseling provided to the juvenile while committed or on probation. |
| | That the parent(s) pay the sum of (\$per week) (\$per month) toward the support of the juvenile while committed (in accordance with the separate support order which is incorporated). |
| | That the juvenile forfeit to the state the firearm used by the juvenile during the commission of the offense(s) shown above. (15 M.R.S. § 3314(6)) |
| | That the juvenile is prohibited from owning, possessing, or having under the juvenile's control a firearm. 15 M.R.S. § 393 (1-A)-(1-B) |
| | Other: |
| | If one of the offenses listed above is an applicable offense as set forth in 25 M.R.S. § 1574 (6), then the juvenile shall provide a DNA sample upon intake to confinement or at any time during that confinement, or if there is no term of confinement, as directed by the juvenile community corrections officer. |
| JUV | RNING: IT IS A VIOLATION OF STATE LAW, AND MAY BE A VIOLATION OF FEDERAL LAW, FOR THE TENILE TO OWN, POSSESS OR HAVE UNDER THEIR CONTROL A FIREARM IF THAT PROHIBITION HAS BEEN TERED AS PART OF THIS JUDGMENT OR ANY OTHER COURT ORDER OR IS PROHIBITED BY STATUTE. |
| DE! TH | APPLICABLE, IT IS FURTHER ORDERED THAT THE JUVENILE IS REMANDED TO THE COUNTY SHERIFF WHO SHALL LIVER THE JUVENILE TO THE JUVENILE CORRECTIONAL FACILITY OR A JUVENILE DETENTION FACILITY AND AT THE CLERK DELIVER A CERTIFIED COPY OF THIS JUDGMENT AND COMMITMENT TO THE COUNTY SHERIFF D THAT THE COPY SERVE AS THE COMMITMENT OF THE JUVENILE. |
| Date | :: 03/04/2019 Judge |
| A tr | ue copy, Attest:, Clerk |
| | |

| | VENILE COURT DISTRICT COURT | JOBOHALITI C | COMMITMENT (JUVENI) |
|--|--|--|--|
| Docket No. Case 3 | County/Location | Date | DOB |
| State of Maine | | Residence: | |
| v. | | | |
| P.S. | | | |
| It has been adjudged that | t the juvenile committed the following juvenile offen | ses on the following dates | : |
| ffense(s) committed: DOMESTIC VIOLEN | NCE ASSAULT | Charg | Adjudicated on: |
| ass: D DOV: 12/11 | 1/2018 Seq #: 11286 Title: 17-A / 207-A / 1 / A | • | Alplea |
| ass: D DOV: 12/11 | | Charg | e: 2 — court intolling |
| CRIMINAL MISCHIE ass: D DOV: 12/11 | | Charg | e: 3 |
| | 1 | | |
| | court orders the following disposition: | | |
| That the juvenile be allo upon conditions attached | owed to remain in the legal custody ofed and incorporated by reference. | | (parent(s)) (guardian) |
| That the juvenile partici | ipate in the following supervised (work) (service) pro- | ogram: | |
| That the juvenile perfo | ormhours of court-approved community so | ervice work within | (|
| 1C:C | | | I Weeks II months I for |
| Denent of | | The state of the s | (weeks)(months) for |
| | mmitted to (the custody of the Department of Health | & Human Services) (the | custody of |
| That the juvenile be con | | & Human Services) (the orts have been made to prote necessary because of the are of the juvenile. Reason | custody of |
| That the juvenile be con- removal of the juvenile factor and continuation if The Juvenile Custod (Ten days' notice has (Appropriate written) | mmitted to (the custody of the Department of Health). Reasonable efforts are from the juvenile's home or no reasonable efforts are in the juvenile's home would be contrary to the welf, are attached and incorporated in this ody order is attached and incorporated in this order. as been served on the Department of Human Service on waivers of the notice requirement have been execu- | & Human Services) (the orts have been made to prote necessary because of the are of the juvenile. Reason order. | custody of |
| That the juvenile be confirmed and continuation in the Juvenile Custom (Ten days' notice has (Appropriate written This determination) | mmitted to (the custody of the Department of Health). Reasonable efforts are in the juvenile's home or no reasonable efforts are in the juvenile's home would be contrary to the welf, are attached and incorporated in this order, as been served on the Department of Human Service on waivers of the notice requirement have been executivill be reviewed on | & Human Services) (the orts have been made to prove necessary because of the are of the juvenile. Reason order. It is and the juvenile's parented voluntarily and know | event or eliminate the need for existence of an aggravating mable efforts findings, dated as and/or custodians). ingly in court before a judge). ger than 12 months). |
| That the juvenile be con- removal of the juvenile of factor and continuation of the juvenile be consequently of the juvenile be consequently of the juvenile be consequently of the juvenile o | mmitted to (the custody of the Department of Health | & Human Services) (the orts have been made to prove the necessary because of the are of the juvenile. Reason of the juvenile's parented voluntarily and know | custody of |
| That the juvenile be con- removal of the juvenile of factor and continuation of the juvenile be consumed to the juvenile be consumed of the juvenile be consumed of the juvenile of the juveni | mmitted to (the custody of the Department of Health | & Human Services) (the orts have been made to prove necessary because of the are of the juvenile. Reason order. Is and the juvenile's parented voluntarily and know (no longer learning to the juvenile from factor and continuation in the juvenile defends of the juvenile | custody of |
| That the juvenile be confronted in the juvenile of the juvenile be confronted in the juvenile be confronted in the juvenile of the welfare of incorporated in this order of the foregoing confronted in the juvenile of the foregoing confronted in this order of the foregoing confronted in the juvenile of the foregoing confronted in this order of the foregoing confronted in the juvenile of the foregoing confronted in the juvenile of the juvenile o | mmitted to (the custody of the Department of Health | & Human Services) (the orts have been made to prove necessary because of the are of the juvenile. Reason order. Is and the juvenile's parented voluntarily and know (no lon terminate period to (age 1) oval of the juvenile from factor and continuation in the period of the juvenile from factor and continuation in the period to a juvenile determinate a juvenile determinat | custody of |
| That the juvenile be confirmed and continuation is factor and continuation in the factor and confirmed and factor an | mmitted to (the custody of the Department of Health). Reasonable efforts are in the juvenile's home or no reasonable efforts are in the juvenile's home would be contrary to the welf, are attached and incorporated in this order. as been served on the Department of Human Service on waivers of the notice requirement have been executively be reviewed on mmitted to a juvenile correctional facility for an indeed been made to prevent or eliminate the need for remarkeessary because of the existence of an aggravating of the juvenile. Reasonable efforts findings, dated the province of the existence of an aggravating of the juvenile. Reasonable efforts findings, dated the province of the province o | & Human Services) (the orts have been made to prove necessary because of the are of the juvenile. Reason order. It is and the juvenile's parented voluntarily and know (no longer terminate period to (age for a for and continuation in the provenile from factor and continuation in the provenile determinated to a juvenile determinated to a juveni | existence of an aggravating mable efforts findings, dated and/or custodians). Some custodians ingly in court before a judge). Some custodians ingly in court before a judge ingly in court before a judge ingly in court before a judge in court befor |
| That the juvenile be conferenced of the juvenile factor and continuation in the factor and continuation in the juvenile Custoe (Ten days' notice has (Appropriate writter. This determination that the juvenile be confered on the grassonable efforts have reasonable efforts are necontrary to the welfare of incorporated in this order. All of the foregoing conference of | mmitted to (the custody of the Department of Health | & Human Services) (the orts have been made to prove necessary because of the are of the juvenile. Reason order. Is and the juvenile's parented voluntarily and know (no longer learning to the juvenile from factor and continuation in the provided the juvenile from factor and continuation in the provided to a juvenile determinate determinate to a juvenile determinate determ | custody of |

| That the juvenile forfeit and pay the sum of \$as a fine to the clerk of the court, plus applicable surcharges and assessments. |
|---|
| All but \$suspended. The total amount due, including surcharges and assessments is \$ This amount is payable immediately or in accordance with the Order on Payment of Fines incorporated by reference herein. |
| |
| That the juvenile's license or permit to operate a motor vehicle, right to operate a motor vehicle, or right to apply for or obtain a license is suspended in accordance with the Notice of Suspension incorporated by reference. |
| ☐ That the juvenile be unconditionally discharged. |
| That the parent(s)/guardian (provide insurance for) (pay the sum of \$toward) the cost of the medical, mental health, and substance abuse treatment and/or counseling provided to the juvenile while committed or on probation. |
| That the parent(s) pay the sum of (\$per week) (\$per month) toward the support of the juvenile while committed (in accordance with the separate support order which is incorporated). |
| That the juvenile forfeit to the state the firearm used by the juvenile during the commission of the offense(s) shown above. (15 M.R.S. § 3314(6)) |
| That the juvenile is prohibited from owning, possessing, or having under the juvenile's control a firearm. 15 M.R.S. § 393 (1-A)-(1-B) |
| Other: |
| If one of the offenses listed above is an applicable offense as set forth in 25 M.R.S. § 1574 (6), then the juvenile shall provide a DNA sample upon intake to confinement or at any time during that confinement, or if there is no term of confinement, as directed by the juvenile community corrections officer. |
| WARNING: IT IS A VIOLATION OF STATE LAW, AND MAY BE A VIOLATION OF FEDERAL LAW, FOR THE JUVENILE TO OWN, POSSESS OR HAVE UNDER THEIR CONTROL A FIREARM IF THAT PROHIBITION HAS BEEN ENTERED AS PART OF THIS JUDGMENT OR ANY OTHER COURT ORDER OR IS PROHIBITED BY STATUTE. |
| IF APPLICABLE, IT IS FURTHER ORDERED THAT THE JUVENILE IS REMANDED TO THE COUNTY SHERIFF WHO SHALL DELIVER THE JUVENILE TO THE JUVENILE CORRECTIONAL FACILITY OR A JUVENILE DETENTION FACILITY AND THAT THE CLERK DELIVER A CERTIFIED COPY OF THIS JUDGMENT AND COMMITMENT TO THE COUNTY SHERIFF AND THAT THE COPY SERVE AS THE COMMITMENT OF THE JUVENILE. |
| Date: 3/04/2019 Judge |
| A true copy, Attest:, Clerk |
| |

019

| STATE OF MAINE JUVENILE PETITION | | | | | | | | | |
|--|---|---|---|---------------------------------------|--------------------------------|---------------|---|-----------|---------------------------------------|
| JUVENII | LE CC | | | 1 | 5 M.R.S. | | DIS | | COURT |
| Docket No. Case 3 | | Loc | eation | | | JW#: | | DOB | |
| State of Maine v. Juvenile's Name P.S. | | | | Residence | | | *************************************** | | |
| Father Mother | | | | Legal Custodian | | | | | |
| Gender; Male | | Race: | Ht: | | Wt: | l | Eyes; | | Hair: |
| Petitioner | | | Peti | Petitioner's Agency POLICE DEPARTMENT | | | | | |
| Date of Offense(s) December 11, 2018 Location of Offense(s) | | | s) | I | | | | | |
| Statute(s) Violated | Statute(s) Violated: DOMESTIC VIOLENCE ASSAULT 17-A M.R.S.A. §207-A(1)(A) ~ 11286 CLASS D Seq No: 11286 | | | | | | | | |
| | | | L, BEING DULY SWO AND AT THE LOCAT | | | | | | • |
| This conduct w | as co | mmitted aga | recklessly cause bo ainst a family or ho numbe (if any) | useh | | | | | |
| Petitioner: | | | | Date / | a-21~18 | Sworn to I | | | |
| Petition Approved James G. Mitchell | | | / ' | Date | ~2178 | | | | |
| | , | | | | PEARAN | | | | |
| Appearance Date January 07, 2019 Reading Held | | Present: (Name) Parent Guardian Legal Custodian None Attorney: (Retained) (Will retain by (Assigned) (Will apply by Attorney for the day only | | | Vill retain by) Will apply by) | | | | |
| Hearing set for | 2/01 | 1 70 19 al | onditions of Release [| │ │ No | ne 🛮 🗷 8 | ee Attached C | order | Judge | DT |
| Y. | | 1,0,1,0,0 | ADJUDIO | CATIO | ON HEAR | ING | | | |
| Hearing Date | Ame | nd, Petition | Ans. Retracted | Nev | v Answer | | Trial I | Ield | Finding |
| 3/04/19 | □y Dw | | □Yes □No | 1 | Denied 🛚 🛚 No Answer | Admitted | □Ye: ☑No | 5 | Petition Dismissed Doffense Committed |
| Disposition Hearin | ıg | Conditions | of Release 🔲 None | | ee Attache | d Order | Judge | - Total | 200 |
| Set For: | | <u> </u> | | | | | 1 | <u>DE</u> | 8cy |
| Hearing Date 3/84/19 DISPOSITION See Attached Judgment and Commitment O3/04/19 O3/04/19 Judge Very North Commitment O5/04/19 Very North Commitment O5/04/19 | | | | | 1 Svey | | | | |
| | | • | | | | 86800 | Ė | • | |

JV-001, Rev. 06/14

The court first that there is under riche that the premite will corner towther Courses but for this desposition; that the juvente is in read of correlated breakment what can only be obtained by his community to an institution; that reasonable yellow been made, as shown over the history of this and companies wises to prevent the removed been made, as shown over the history of this and companies wises to prevent the removed

of the jurante from his home; and that antinuation in his home would be antrany to his welfare.

P.S. how

repeatedly ignored efforts by his JECO and social services provides to address his repeated offenses. At their the types of offenses of which he has been adjudicated are not major offenses, they are serving and escalating. Then are no surfable alternative resources available in the community to address.

P.S.'s needs.

Hony

| 1 | STATE OF MAINE |
|----|---|
| 2 | DISTRICT COURT |
| 3 | CRIMINAL ACTION |
| 4 | |
| 5 | |
| 6 | APPEAL NO. ARO-19-110 |
| 7 | |
| 8 | STATE OF MAINE, |
| 9 | Plaintiff |
| 10 | VS. ADJUDICATION HEARING |
| 11 | P.S. , |
| 12 | Defendant |
| 13 | MARCH 4, 2019 |
| 14 | BEFORE: |
| 15 | THE HONORABLE DAVID J. SOUCY |
| 16 | APPEARANCES: |
| 17 | ON BEHALF OF THE STATE: |
| 18 | JAMES MITCHELL, ADA |
| 19 | ON BEHALF OF THE DEFENDANT: JOHN W. TEBBETTS, ESQ. |
| 20 | ALSO PRESENT: |
| 21 | JCC0 |
| 22 | |
| 23 | TRANSCRIBED BY: |
| 24 | eScribers, LLC 7227 North 16th Street, Suite #207 |
| 25 | Phoenix, AZ 85020 |
| | · · |



My client only has one childhood, and he is making a mess of it so far. I don't think that this Court should compound his errors by hoping that the Department of Corrections can get him into the services he needs. I fully believe that they will do everything they can to get him the help he needs if he's given down for an 18-year-old sentence, but that's something that this Court -- that I and the JCCO cannot control.

2.2

And so we should exhaust every other alternative and hope beyond hope that this is the last time we see P.S. . And that by day 15 down there he realizes that this is serious and that the next time, he will be -- it's going to be for much longer.

THE COURT: All right. P.S., would you stand, please?

This is a very serious matter. The litany of offenses

here -- the number of offenses -- don't amount to the most

serious offenses that we see. What is serious in the context

of this case is the fact that they have happened in defiance

of every effort to try to work with you that you have failed

to meet.

Now, typically I think we could set you up with really intensive services in the community, working with your mother, and I think, in fact, we've tried to do some of that. You haven't been willing to work with those folks. But ideally we'd have other services available as well that are perhaps a

bit more assertive and are a bit more local. We don't have those services, and I'm satisfied there is no alternative but to commit you to Long Creek, and I don't think a shock sentence is going to do it. It's going to be till age 18.

They'll work with you there.

2.2

You need to understand something, and this is going to be hard for you wrap your head around, but this isn't intended to be punishment. This is intended to be to get you in a program where you can communicate with people in a language that you clearly understand, okay? That will help you so that when they release you, you can resume your place in the community and continue to mature into an adult who will be an asset to the community, who will be happy, and who will be productive. And that's everybody's goal here.

But let me tell you this, p.S. The one thing that really convinces me that I need to do this is because I've seen many young people, mostly men like you, who've been in this exact same position. And when I see them again in criminal court and I send them away, it's not for a program to help them. It's a program that will hurt them. And frankly, the goal is retribution; it's punishment. And they don't have access to the programs that you'll have access to. I don't want you to be in that spot. I really desperately hope that we can avoid that.

And so with that goal in mind the disposition in these

| 1 | cases will be an indeterminate commitment to age 18. |
|----|---|
| 2 | All right. Good luck to you. |
| 3 | (Pause) |
| 4 | THE COURT: Bill, on this commitment order, there is a |
| 5 | requirement that the Court attach findings that address |
| 6 | reasonable efforts necessary to prevent or eliminate the need |
| 7 | for removal from his home, and we've discussed that at some |
| 8 | length. I'd like you to draft something briefly that I can |
| 9 | attach to the order, okay? |
| 10 | P.S., good luck. |
| 11 | THE DEFENDANT: Thank you. |
| 12 | (Hearing concluded at 2:52 p.m.) |
| 13 | |
| 14 | |
| 15 | |
| 16 | |
| 17 | |
| 18 | |
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| 20 | |
| 21 | |
| 22 | |
| 23 | |
| 24 | |
| 25 | |



Docket No: Case 1



| DEPARTMENT OF O | |
|--|---|
| PROBATION S | <u>SUMMONS</u> |
| State of Maine | |
| Vs. | |
| P.S. | |
| To: P.S. | |
| You are hereby summonsed to appear before the Courthouse in County of Aroostook, pm, for a hearing on the charge that you violated the following manner: | on the <u>3</u> , day of <u>December</u> , <u>2019</u> , at <u>1:00</u> |
| positive for the presence of THC.Violation of condition #25 to abide by curfer | w as directed by the JCCO, in that, on curfew, and on 10/15/2018 & 11/10/2018 irected by your JCCO criminal conduct and violation of federal, state |
| | Juvenile Community Corrections Officer |
| This summons was received by me at | on <u>November 15</u> , <u>2019</u> . |
| | Probationer |
| Having used due diligence, I cannot locate for foregoing summons. I respectfully request the Cou | |
| | Juvenile Community Corrections Officer |
| Warrant to Issue: | Date: |

Docket No: Case 1



DEPARTMENT OF CORRECTIONS DIVISION OF JUVENILE SERVICES

MOTION FOR PROBATION REVOCATION

| | Date: No | vember 15, 2018 |
|---|---|--|
| To the Honorable Judge of the District Cour | t of Aroostook Co | unty. |
| Respectfully representing the Division of Juvenile | Services, | , Juvenile |
| Community Corrections Officer, states that one | P.S. , V | was adjudicated of <u>criminal</u> |
| trespass in this Court on 06/04/2018, Docket Number | er: Case 1 | , and was sentenced |
| as follows: a commitment of 30 days to a Department | nt of Corrections ju | uvenile facility, all |
| suspended, placed on probation for one year. | | |
| | nting Juvenile Ser | vices, that there is |
| probable cause to believe that the said P.S. | · · | the terms of probation in |
| the following manner: | | , |
| Violation of condition #7 to refrain from possessidrugs or tobacco products, in that, urinalysis conthe presence of THC. Violation of condition #25 to abide by curfew as a 10/09/2018 he failed to abide by a 5:00 pm curfer failed to comply with house arrest as directed by Violation of condition #1 to refrain from all crimin and local laws, in that, on 11/10/2018 you damagnim. It is therefore requested that the probation of | directed by the JC ew, and on 10/15/2 his JCCO al conduct and vice ged items in his horse. P.S. be | 2018 tested positive for CCO, in that, on 2018 & 11/10/2018 he colation of federal, state |
| Hearing Ordered: <u>Judge/Justice</u> | | Date: |
| Motion Dismissed: <u>Judge/Justice</u> | Date of He | earing: Date: |
| cc: District Attorney | | |

Docket No: Case 1



DEPARTMENT OF CORRECTIONS

| 化差 线 | DIVISION OF JUVE | NILE SERVICES |
|-------------------|-------------------------|---|
| 12 ALM OF | PROBATION S | <u>SUMMONS</u> |
| State of Maine | | |
| Vs. | | |
| P.S. | | |
| To: P.S. | | |
| the Courthouse in | , County of Aroostook | the <u>District Court</u> of the State of Maine at , on the, day of, 2019, at, for ditions of your probation in the following |
| | | Juvenile Community Corrections Officer |
| This summons | s was received by me at | on, <u>2019</u> . |
| | | Probationer |
| | | the purpose of arrest or service of the purt to issue a warrant for the arrest of |
| | | Juvenile Community Corrections Officer |
| Warrant to Issue: | | Date: |
| | Judge | |

Docket No: Case 1



DEPARTMENT OF CORRECTIONS DIVISION OF JUVENILE SERVICES

MOTION FOR PROBATION REVOCATION

| | Date: Dece | mber 11, 2018 |
|---|-----------------------------|----------------------------------|
| To the Honorable Judge of the District Court | of Aroostook Coun | ty. |
| Respectfully representing the Division of Juvenile | Services, | , Juvenile |
| Community Corrections Officer, states that one | P.S. , wa | s adjudicated of <u>criminal</u> |
| trespass in this Court on 06/04/2018, Docket Number | r: Case 1 | , and was sentenced |
| as follows: a commitment of 30 days to a Departmen | t of Corrections juve | enile facility, all |
| suspended, placed on probation for one year. | | |
| It is now reported by represent | ting Juvenile Servic | es, that there is |
| probable cause to believe that the said P.S. | has violated th | e terms of probation in |
| the following manner: | | |
| Violation of condition #1 to refrain from all crimina and local laws, in that, on 12/11/2018 he assaulted | ıl conduct and viola ed_ | tion of federal, state |
| Violation of condition #1 to refrain from all crimina and local laws, in that, on 12/11/2018 he damage | | tion of federal, state |
| 3. <u>Violation of condition #1 to refrain from all crimina and local laws, in that, on 12/11/2018 he assaulted</u> | | tion of federal, state |
| It is therefore requested that the probation of | P.S. be rev | voked. |
| - | Juvenile Commur | nity Corrections Officer |
| Hearing Ordered: <u>Judge/Justice</u> | | Date: |
| Motion Dismissed: <u>Judge/Justice</u> | Date of Hear | ing: Date: |
| cc: District Attorney | | |

| STATE OF MAINE JUVENILE PETITION 15 M.R.S. § 3302 DISTRICT COURT | | | | | | | | | | | | | |
|---|---|------------|---------|------------------------------------|----------|-------------------------|-------|-------------|-----------------------------|--------------------|--------------------|--|--|
| Docket No. | LE CO | UKI | Loca | tion | 15 | | JW# | _ | וע | DISTRICT COURT DOB | | | |
| Case 2 | 2 | | Loca | tion | | J VV TT. | | | DOB | | | | |
| State of Maine v. J P.S. | uvenile | e's Name | | R | Residenc | e | | | | | | | |
| Father | | | 1 | Mother | | Legal Custodian | | | | 1 | | | |
| Gender: Male | | Race: | | Ht: | V | Wt: E | | | yes: | | Hair: | | |
| Petitioner | | | | | Petitio | ner's As | genc | V | | | | | |
| | | | | Location of Offense(s | | SHERIFF'S | | | | | | | |
| Date of Offense(s) November 10, 201 | Date of Offense(s) November 10, 2018 | | | |) | Arresting Officer | | | | | | | |
| Statute(s) Violated | CRI | MINAL | MISC | HIEF 17-A M.R.S. | A. §806(| (1)(A) ~ | 4959 | X1 CLA | SS D | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | , | | |
| | | | | | | | | | | | TION AND BELIEF) | | |
| | | | | ND AT THE LOCAT | | | | | | | | | |
| having no reaso | nable | ground | l to b | elieve he had a rig | ght to d | lo so, d | id ir | ntentiona | ally, kno | wingly | , or recklessly | | |
| damage or destr | | | | | la la | | | | | | | | |
| See attached lis | t of a | dditions | al ger | inte (if anv) | | | | | | | | | |
| Petitioner signatur | (| | | | Date | -111 -10 | , S | worn to E | | | | | |
| | | | | | | -14-18 | | Clerk / Jud | ge | | | | |
| Petition Approved | | | H | | Date | | | | | | | | |
| James G. Mitchell, | Urrose | cuting A | norne; | INITIA | I. APPE | ARAN | CE | | | | | | |
| Appearance Date | | Advised | l of Ri | | _ | esent: (Name) | | | Attorney: | | | | |
| January 07, 2019 | | ☐ Yes | | □ No | | Parent | | | | | | | |
| Reading | | | ved by | Counsel | | Guardian | | | (Retained) (Will retain by) | | | | |
| ☐ Held ☐ Wa | Held Waived Answer: D | | | | | Legal Custodian None | | | (Assigned) (Will apply by) | | | | |
| Admitte | | | | | | | | | | | | | |
| | | | IIIIeu | ☐ No Aliswei | | | | | Attorney for the day only | | | | |
| | | | | | | | | | | | | | |
| Hearing set for | | | Cor | ditions of Release | None | None See Attached O | | | rder Judge | | | | |
| | | | | ADIUDIC | TATION | THEAD | INC | , | | | | | |
| Hearing Date | Amer | nd. Petiti | on | Ans. Retracted | | ON HEARING ew Answer | | | Trial | Held | Finding | | |
| Yes | | | | Yes | | Denied Admitte | | | □Ye | | Petition Dismissed | | |
| □No | | | | □No | | No Answer | | | □No □Offense | | | | |
| | | | | | | THO PHIS WOL | | | Committed | | | | |
| Disposition Hearin | 10 | Condit | ions o | of Release None See Attached Order | | | | | Judge | | | | |
| Set For: | *5 | Condit | 10113 0 | 11010 | | | | | 1,8 | | | | |
| Set Fol. | | | | TAY | CDOCIT | TION | | | | | | | |
| Hearing D |)ate | | | DI | SPOSI7 | HUN | | □Se | e Attache | d Judgm | ent and Commitment | | |
| Trom mg L | | | | | | | | | | -8 | | | |
| | | | | | | | | | | | Indae | | |

| JUVENILE PETITION JUVENILE COURT 15 M.R.S. 8 3302 DISTRICT COURT | | | | | | | | | | | | | | |
|--|-----------------------------|------------|-----------------------------------|----------------|--------------|-------------------|---------------------------------------|--------------------|-----------------------------|----------------------------|-----------|---------------------------------------|--|--|
| Docket No. | LE CC | | 15 M.R.S. § 3302 Location JW#: | | | | | DISTRICT COURT DOB | | | | | | |
| Case 3 | | | JW#: | | | | G | | DOB | | | | | |
| State of Maine v, P.S. | | Residence | | | | | | | | | | | | |
| Father | | | Mother | Legal Cr | | | | ustodian | | | | | | |
| Gender: Male | | | | | | | Wt: | | | Eyes: Hair: | | | | |
| Petitioner | | | | | | | Petitioner's Agency POLICE DEPARTMENT | | | | | | | |
| Date of Offense(s) December 11, 2018 Locati | | | | | of Offense(s | ense(s) Arresting | | | | g Officer | | | | |
| Statute(s) Violate | d: DOI | MESTIC Y | VIO | LENCE A | SSAULT | 17-A M | I.R.S.A. | §207- | A(1)(A) | ~11286 (| CLASS | S D | | |
| *** | | | | | | | | | | | | | | |
| THE ABOVE NAMED PETITIONER, BEING DULY SWORN, DEPOSES AND SAYS (UPON INFORMATION AND BELIEF) | | | | | | | | | | | | | | |
| THAT ON OR ABOUT THE DATE AND AT THE LOCATION STATED ABOVE THE JUVENILE: | | | | | | | | | | | | | | |
| did intentional | ly, kno | owingly | or re | ecklessly | cause bo | dily in | ijury or | offer | nsive pl | ysical co | ontact | to . | | |
| This conduct w | vas co | mmitted | aga | inst a fan | nily or ho | useho | ld mem | iber a | s define | ed by 19- | A M. | R.S.A. §4002(4). | | |
| See attached lis | st of a | dditional | l cou | unts (if a | ny) | | | | | • | | 0 () | | |
| Petitioner s | | | | | I | Date | | Si | vorn to B | efore: | | | | |
| | | | | | | 10 | 7-21-12 | 8 C | lerk / Jud | | | | | |
| Petition Ap | | | | | 7 :- | Date | | | | | | | | |
| James G. Mitchell | l, Prose | cuting Att | orne | у | | 10 | ~21 718 | 9 | | | | | | |
| | | | ^- | | INITIA | | EARAN | | | | | | | |
| Appearance Date | 010 | | | | | | | | | | Attorney: | | | |
| January 07, 2019 Reading | | Yes | | □ No □ Parent | | | | - | | | | | | |
| | 1 | ☐ Waiv | ed by | y Counsel | ☐ Gi | Guardian | | | (Retained) (Will retain by) | | | | | |
| ☐ Held ☐ W | aived | Answer: | Den | ied 🗌 | | Le | Legal Custodian | | | (Assigned) (Will apply by) | | | | |
| | , | - Admi | tted | □ No A | Inswer | □ No | None | | | Attorney for the day only | | | | |
| | | | | | | | | | | Attorney for the day only | | | | |
| Hearing set for | | | Cor | ditions of | Palanca [| None | о Пе | 'oo At | tached O | ndon | Tudao | · · · · · · · · · · · · · · · · · · · | | |
| Treating Set for | | | Coi | iditions of | | | | | ached O | ruei | Judge | | | |
| ** | | | | | ADJUDIC | | | RING | | | | | | |
| Hearing Date | earing Date Amend. Petition | | | Ans. Retracted | | | New Answer | | | Trial F | | Finding | | |
| | Yes | | | Yes [| | De | Denied Admitted | | mitted | Yes Petition Disr | | Petition Dismissed | | |
| | □No 4 | | | □No □ | | □No | No Answer | | | □No □Offense | | Offense | | |
| | | 1 | | 3 | | | | | | | | Committed | | |
| Disposition Hearing Conditions | | ns o | f Release | None | See | e Attache | ed Ord | er | Judge | | | | | |
| Set For: | | а з | | | | | | | | | | | | |
| | | | | | DIS | SPOSI | TION | | | | | | | |
| Hearing D | Date _ | | | | | | | | See | Attached | Judgm | ent and Commitment | | |
| | | i e | | | | | | | | | | | | |
| | | | | | | | | | 1 | | 1 1/ | Tudas | | |
| | | | | | | | | | | | | Judge | | |

STATE OF MAINE V.

P.S.

Page 2

COUNT 2:

17-A M.R.S.A. $\S 207(1)(A) \sim 8382$

Seq No: 8382 ASSAULT CLASS D

On or about December 11, 2018, in Fort Kent, Aroostook County, Maine, P.S., did intentionally, knowingly or recklessly cause bodily injury or offensive physical contact to

COUNT 3:

17-A M.R.S.A. §806(1)(A) ~ 4959X1 Seq No: 4959X1 CRIMINAL MISCHIEF CLASS D

On or about December 11, 2018, in Fort Kent, Aroostook County, Maine, having no reasonable ground to believe he had a right to do so, did intentionally, knowingly, or recklessly damage or destroy property of School.